

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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**UNITED STATES OF AMERICA**

**v.**

**VICENTE GONZALEZ, JR.**

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**CASE NO. 19-CR-10421-DPW-13**

**MOTION TO SUPPRESS**

Now comes the defendant in the above-captioned matter and hereby moves, pursuant to Fed. R. Crim. P. Rules 12 and 41 (g) & (h) and the Fourth Amendment to the United States Constitution, for entry of an Order suppressing all evidence obtained directly and indirectly as a result of searches direct against him. As the basis for this Motion and in support hereof, the defendant asserts that:

1. On July 29, 2019, federal agents along with state and local officials executed a search warrant at 159 Meadow Street, Chicopee, MA, the home of Vicente Gonzalez, Jr., his wife, Ana Alvarado, his son, Vicente Gonzalez, II, and his daughter-in-law, Lilliam Aponte;

2. The Affidavit in Support of the Search Warrant for 159 Meadow Street was inadequate and unlawful in the following particulars:

- a) No nexus was factually established between the items sought for seizure and the residence located 159 Meadow Street;
- b) Information undermining the credibility of the informant, CS-1, that was known to the government, was intentionally and purposefully withheld from the affidavit;

- c) The information provided by CS-1, coupled with the investigation conducted by the government, failed to establish probable cause to search 159 Meadow Street;
- d) The affidavit in support of the application for a warrant to search 159 Meadow Street contains willful misrepresentations of material fact; factual assertions deliberately made with reckless disregard for the truth; and material omissions of fact which impaired the magistrate's ability to make a reasonable probable cause determination, as more particularly set forth in the accompanying Memorandum of Law;
- e) The search of the basement, including but not limited to a locked room in it, was not authorized by the warrant and was conducted without the consent of the defendant and/or any person lawfully authorized to give such consent, as more particularly set forth in the accompanying affidavits.

WHEREFORE, the defendant moves entry of an Order suppressing all evidence obtained in execution of the search warrant for 159 Meadow Street, MA as well as all evidence derived directly or indirectly therefrom as having been obtained in violation of his Fourth Amendment rights. The defendant further moves for an evidentiary hearing on his claims and leave to amend and supplement this motion, in anticipation of additional supporting evidence being developed during such hearing.

Respectfully Submitted,  
THE DEFENDANT,

By /s/ Luke Ryan  
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**CERTIFICATE OF SERVICE**

I, Luke Ryan, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Luke Ryan  
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